

### Remarks/Arguments

Reconsideration of this application in light of the above amendments and the following remarks is requested.

Claims 1-4, 10-13, and 15-16 have been amended and claims 5-9, 14, and 18 have been maintained in their current form.

#### Rejections under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph

Claims 1-18 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph as being indefinite. The Applicant submits that in light of the preceding claim amendments and the following comments, the 35 U.S.C. § 112, 2<sup>nd</sup> paragraph rejections have been addressed. It is understood that the claim amendments were made to clarify what was already present in the claims and, as such, do not introduce any type of prosecution estoppel.

#### Claims 1-9 and 16

The Examiner's rejection of claims 1-9 and 16 has been addressed by amending the claims to more clearly define that which the applicants regard as inventive. In particular, the Applicant points out that the pore size distributions are now claimed in terms of first and second predetermined pore size ranges. As such, Applicant submits that the Examiner's concern that any uniform distribution of pores could be inherently arbitrarily subdivided locally into distributions has been addressed.

Particularly regarding claim 9, the Examiner has expressed concern of a lack of support in the specification. The Applicant directs the Examiner's attention to paragraphs 2 and 12 of the specification, which indicate that, "PTFE material can exhibit different shapes, for example, a foil, sheet, or cube," (emphasis added) and that, "[t]he preferred invention may be constructed in a variety of shapes and sizes."

In regards to claim 16, the Examiner has expressed concern over the claim form. The Applicant has amended claim 16 to address this concern.

Applicant submits that the changes made to claims 1-9 and 16 are supported by the specification and that independent claim 1 and dependent claims 2-9 and 16 now overcome the Examiner's rejection under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph.

Claims 10-15

The Examiner's rejection of claims 10-15 has been addressed by amending the claims to more clearly define that which the Applicant regards as inventive. Initially, the Applicant points out that references to "other resins" have been removed. Also, pore size distributions are now claimed in terms of first and second predetermined pore size ranges. As such, Applicant submits that the Examiner's concern that any uniform distribution of pores could be inherently arbitrarily subdivided locally into distributions has been addressed.

In further regards to claim 15, the Examiner has expressed concern over the claim form. The Applicant submits that claim 15 introduces further relationships among already-recited claim elements. Claim 15 has been amended to further clarify this intention.

The Applicant submits that the changes made to claims 10-15 are supported by the specification and that independent claim 10 and dependent claims 11-15 now overcome the Examiner's rejection under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph.

Claims 17-18

The Examiner's rejection of claim 17 and 18 has been addressed by amending the claims to more clearly define that which the Applicant regards as inventive. Therefore, the Examiner's concern about arbitrary local division of sizes has been addressed. The Applicant submits that claims 17 and 18 now overcome the Examiner's rejection under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1-18 have been rejected as anticipated by, or obviated by, DE 690 03 879. As the PTO provides in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim...." Furthermore, as the PTO recognizes in MPEP § 2143, "[t]o establish a prima facie case of obviousness, ... the prior art reference (or references when combined) must teach or suggest all the claim limitations." (emphasis added). Therefore, the DE 690 03 879 reference must teach or suggest all of the elements of the claims to sustain the rejections.

The Applicant submits that DE 690 03 879 fails to teach or suggest every element of amended claims 1, 10, and 17. For example, the claims as amended recite that the PTFE is expanded at a temperature near or above a melt-point of the PTFE. Accordingly, the DE 690 03 879 reference fails to meet the standard required by MPEP § 2131 and MPEP § 2143, and



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claims 1, 10, and 17 are allowable over the cited reference. Claims 2-9, 11-16, and 18 depend from and further limit their respective independent claims and therefore are allowable as well.

**Conclusion**

It is clear from all of the foregoing that all of the pending claims are in condition for allowance. Should the Examiner deem that any further amendment is needed to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

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